

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In re:

The Ruins, LLC

Debtor.

Bankruptcy No. 25-30004  
Chapter 11

OPPOSITION TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Comes now D&M Industries, Inc. (“D&M”), by and through undersigned counsel, pursuant to Local Rule 9013-1, and in opposition to the Motion for Relief from the Automatic Stay (the “Motion,” as found at DE #58) filed by Red River State Bank (“RRSB”) states as follows:

On March 17, 2025, D&M timely filed its proof of claim asserting a secured claim in the amount of \$353,300.96 (the “D&M Claim”). *See* Claims Register, Claim 13. The D&M Claim is based on goods used, but not paid for, in the real property owned by the Debtor located at 315 East Kemp Avenue, Watertown, South Dakota, 57201 (the “Real Property”). D&M filed a mechanic’s lien against the Real Property.

D&M joins in any responses or opposition filed to the Motion for Relief From Stay, specially including the Opposition filed by Debtor (Docket No 66). The effect of RRSB’s Motion for Relief from Stay, if granted, would be to allow RRSB to foreclose on the Real Property and practically deny D&M any possibility of payment on the mechanic’s lien. The completion of the Project is the only viable way D&M and other mechanic’s lien claimants would recover any monies on this Project.

Although junior mechanic's lien holders routinely get foreclosed out under South Dakota law, the facts of this particular case are not routine. Serious claims have been alleged against RRSB for egregious wrongdoing. These claims are the subject of the adversary proceeding captioned Generations on 1<sup>st</sup> LLC, Parkside Place, LLC and The Ruins, LLC v. Red River State Bank, North Dakota Bankruptcy Adversary Proceeding No. 25-07009 (the "Adversary Action").

D&M respectfully requests this court to deny the Motion for Relief from Stay to allow for the Adversary Action to proceed and truly give Debtor a chance to re-organize and pay all the bankruptcy estate's creditors.

Dated: July 29, 2025

/s/ John M. Krings, Jr.  
John M. Krings, Jr. (ND Atty # 06845)  
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CERTIFICATE OF SERVICE

I, John M. Krings, Jr., an attorney licensed to practice law in this Court, with an office address of 3429 Interstate Blvd. S., PO Box 9231, Fargo, ND 58106-9231, hereby certifies that the filing of this document caused service via CM/ECF upon all CM/ECF recipients.

Dated: July 29, 2025

By: /s/ John M. Krings, Jr.  
John M. Krings, Jr.